

424 Rec'd PCT TO 21 JUL 2000
09/600766

IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)
(National Phase of International App.: PCT/US99/01382)

In re the
application of: **Gary J. NABEL et al.**

International Application No.: **PCT/US99/01382**

International Filing Date: **21 January 1999**

U.S. Serial No.: **Not yet assigned**

Filed: **Herewith**

For: **TARGETING GENE TRANSFER VECTORS
TO CERTAIN CELL TYPES BY
PSEUDOTYPING WITH VIRAL
GLYCOPROTEIN**

Attorney Docket No.: **UMV-1474US**

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231


Certification Under 37 CFR 1.10

I hereby certify that the attached:

Transmittal Letter (2 sheets in duplicate); Declaration, Petition and Power of Attorney (unexecuted) (4 sheets); Response to the Invitation to Correct Defects in the International Application with Sequence Listing attached along with Sequence Listing diskette (34 sheets); PCT International Published Application (WO 99/37331) (with International Search Report attached) (76 sheets); Certificate of Express Mailing (1 sheet); Check (\$840); and Return Postcard are being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service, Mailing Label No. **EL 589 753 590 US**, under 37 CFR 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Date: 21 July 2000

Name: Ilidio P. Cardoso

Signature: 

09/600766

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IN THE UNITED STATES RECEIVING OFFICE

Attorney Docket: 2115S01474POA

Applicant: The Regents Of The University)
Of Michigan et al.)
International (21.01.99))
Filing Date: 21 January 1999)
International)
Application No: PCT/US99/01382)
For: Targeting Gene Transfer Vectors)
To Certain Cell Types By)
Pseudotyping With Viral Glycoprotein)

RESPONSE TO INVITATION TO
CORRECT DEFECTS IN THE
INTERNATIONAL APPLICATION

Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Dear Sir:

This is in response to the Invitation To Correct Defects in the International Application mailed 25 February 1999 for which the one-month period for response expires on 25 March 1999.

To comply with the Invitation To Correct, Applicants submit herewith an executed PCT Request Form (Sheet 5) and eleven (11) sheets of substitute drawings to replace the drawings originally filed with the application.

In addition, Applicants submit herewith a computer readable form and paper copy of the Sequence Listing to replace the originally filed Sequence Listing submitted with the specification of the above-identified application. The Sequence Listing provided herewith does not include matter which goes beyond the disclosure of the international application as filed. The content of the computer readable form (diskette) is the same as the paper copy of the Sequence Listing, which are both submitted herewith.

The substitute Sequence Listing contains all matter included in the originally-filed Sequence Listing except for the restriction map sequences. These restriction sequences are

Int'l. Appln. No. PCT/US99/01382
Attorney Docket: 2115S01474POA

commonly known to those skilled in the art and the functional map and miscellaneous descriptors are included in the "Features" section of the substitute Sequence Listing.

Should any additional fees be required, the Authorized Officer is hereby authorized to charge any additional fees to Deposit Account No. 08-0750.

Should the Authorized Officer have any questions or wish to further discuss this matter, it is requested that the undersigned attorney be contacted at (248) 641-1600.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.
Attorneys for Applicant

Date: 3/24/99

P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

DFS:gmp
Enclosures

By: 

DeAnn F. Smith
Reg. No. 36,683

Box No. VI PRIORITY CLAIM		<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.		
Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:		
		national application: country	regional application: regional Office	international application: receiving Office
item (1) 21 January 1998 (21.01.98)	60/072,033	US		
item (2)				
item (3)				

☒ The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of the present international application is the receiving Office) identified above as item(s): (1)

* Where the earlier application is an ARIPO application, it is mandatory to indicate in the Supplemental Box at least one country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed (Rule 4.10(b)(ii)). See Supplemental Box.

Box No. VII INTERNATIONAL SEARCHING AUTHORITY

Choice of International Searching Authority (ISA)
(if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):

ISA/ US

Request to use results of earlier search; reference to that search (if an earlier search has been carried out by or requested from the International Searching Authority):

Date (day/month/year) Number Country (or regional Office)

Box No. VIII CHECK LIST: LANGUAGE OF FILING

This international application contains the following number of sheets:

request : 5
description (excluding sequence listing part) : 14
claims : 2
abstract : 1
drawings : 11
sequence listing part of description : 44
Total number of sheets : 77

This international application is accompanied by the item(s) marked below:

1. ☒ fee calculation sheet
2. ☐ separate signed power of attorney
3. ☐ copy of general power of attorney; reference number, if any:
4. ☐ statement explaining lack of signature
5. ☐ priority document(s) identified in Box No. VI as item(s):
6. ☐ translation of international application into (language):
7. ☐ separate indications concerning deposited microorganism or other biological material
8. ☐ nucleotide and/or amino acid sequence listing in computer readable form
9. ☒ other (specify): trans ltr; express mail cert. postcard

Figure of the drawings which should accompany the abstract:

10

Language of filing of the international application:

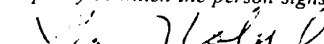
English

Box No. IX SIGNATURE OF APPLICANT OR AGENT

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).



Marvin G. Parnes
Associate Vice President For Research & Interim Director
Technology Management Office,
The Regents Of The University Of Michigan



Gary J. Nabel



Rafael Delgado



Zhi-yong Yang

For receiving Office use only		2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
1. Date of actual receipt of the purported international application:		
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		
4. Date of timely receipt of the required corrections under PCT Article 11(2):		
5. International Searching Authority (if two or more are competent): ISA/	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid	

Date of receipt of the record copy by the International Bureau:

For International Bureau use only

FORM PTO-1390 (REV 10-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER UMV-1474US	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C.371				U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/600766	
INTERNATIONAL APPLICATION PCT/US99/01382		INTERNATIONAL FILING DATE 21 January 1999 (21.01.99)		PRIORITY DATE CLAIMED 21 January 1998 (21.01.98)	
TITLE OF INVENTION TARGETING GENE TRANSFER VECTORS TO CERTAIN CELL TYPES BY PSEUDOTYPING WITH VIRAL GLYCOPROTEIN					
APPLICANT(S) FOR DO/EO/US Gary J. NABEL; Rafael DELGADO; and Zhi-yong YANG					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C.371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371 (b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unexecuted) (4 sheets); 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 					
Items 11. to 16. below concern document(s) or information included:					
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: Transmittal Letter (2 sheets in duplicate); Response to the Invitation to Correct Defects in the International Application with Sequence Listing attached along with Sequence listing diskette (34 sheets); PCT International Published Application (WO 99/37331) (with International Search Report); (76 sheets); Check (\$840); Certificate of Express Mailing (1 sheet); and Return Postcard. 					

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) **09/600766**INTERNATIONAL APPLICATION NO.
PCT/US99/01382

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ATTORNEY'S DOCKET NO.
UMV-1474US17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) (a/o January 1, 2000):**

Search Report has been prepared by the EPO or JPO.....\$970
International preliminary examination fee paid to
USPTO (37 CFR 1.482).....\$840
No international preliminary examination fee paid to
USPTO (37 CFR 1.482) but international search fee
paid to USPTO (37 CFR 1.445(a)(2)).....\$690
Neither international preliminary examination fee
(37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2))
paid to USPTO.....\$670
International preliminary examination fee paid to
USPTO (37 CFR 1.482) and all claims satisfied provisions
of PCT Article 33(2)-(4).....\$96

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	20 -20 =	0	X \$18.00
Independent claims	2 -3 =	0	X \$78.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ 260.00

TOTAL OF ABOVE CALCULATIONS =

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity
Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28)

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment
must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).
\$40.00 per property

TOTAL FEES ENCLOSED =

Amount to be: refunded	\$
charged	\$

- a. ☒ A check in the amount of \$840 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit
any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

DeAnn F. Smith
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
United States of America
(617)227-7400
Date: 21 July 2000

SIGNATURE

DeAnn F. Smith

NAME

36,683

REGISTRATION NUMBER